



The Task Force on Court Facilities
455 Golden Gate Avenue, San Francisco, CA 94102-3660

FINANCE AND IMPLEMENTATION COMMITTEE

Meeting Report

January 27, 1999

Mission Inn, Riverside, CA

TASK FORCE ATTENDEES:	PRESENTERS:
COMMITTEE MEMBERS:	Mr. Thomas Gardner, Vitetta Group
PRESENT:	Mr. Jonathan Wolin, Administrative Office of the Courts
Mr. David Janssen, Chair	TASK FORCE STAFF:
Mr. Greg Abel	Ms. Veronica Gomez, Staff Analyst
Hon. Jerry Eaves	CONSULTANTS TO THE TASK FORCE:
Hon. Diane Wick	Mr. Jeff Buck, Daniel, Mann, Johnson & Mendenhall
ABSENT:	Mr. Thomas Gardner, Vitetta Group
Mr. Fred Klass	GUESTS:
Hon. Charles Smith	Mr. Peter Conlon, Orange County Superior Court
	Mr. Ron Guley, Orange County Superior Court
	Ms. Stephanie Larsen, San Joaquin County
	Mr. Nick Marinovich, San Diego county

Mr. Janssen opened the committee meeting at 2:45 PM by noting that at the last meeting the members discussed different organization and financing models. During that meeting, the members expressed a preference for using existing state models. Mr. Janssen stated that the purpose of this meeting was to achieve a better understanding of trial court budgeting. He introduced the guest speaker, Mr. Jonathan Wolin, head of the Administrative Office of the Courts' Trial Court Funding Unit.

- I. Mr. Wolin made a presentation on the history of trial court funding prior to enactment of the Lockyer-Isenberg Trial Court Funding Act of 1997 (AB 233) and the major changes that resulted from the Act. He also explained the structure of the state trial court budget, including the fund structure and sources of monies. Committee members raised some concerns regarding these funding sources. Mr. Abel commented that excess funds should stay in the county. Mr. Janssen asked if the state would reduce the amount from the general fund if the other funds become too large. He also asked about the status of the revenue figures. Mr. Wolin replied that they have not been reconciled.
- II. It was stated that letters of agreement between the counties and the trial courts need to be in place as their respective operations separate as directed by AB 233 legislation. Mr. Wolin emphasized that the responsibility for court facilities, including grounds maintenance, building maintenance, building operation, and construction, will continue with the county pending the recommendations of the Facilities Task Force and their adoption. He noted that there was one exception to this policy. Under the Act, the state is responsible for suitable and necessary facilities for judicial officers and support staff for any judgeships authorized

during the period from January 1, 1998 to June 30, 2001. He noted that there are some gray areas that involves building operations.

- III. Mr. Janssen asked if the Department of Finance (DOF) sees each court's budget request. Mr. Wolin replied that DOF only receives a combined lump sum of court budget submittals.
- IV. Mr. Wolin observed that the governor's proposed FY 99/00 state budget does not include funding for any new judgeships. He noted that the estimated cost for a new judgeship is \$495,000 each. Mr. Wolin commented that \$30 million was requested for "Jury Reform" but \$1-2 million was included in the governor's budget. \$30 million was requested for "Court Technology" but nothing was included in the budget.
- V. Mr. Abel commented that he sees two problem areas with the new budget process: (1) that it is yet another change to deal with and (2) the state's priorities may be different than individual counties' priorities. A possible mitigating approach would be a needs assessment, which may be a monumental undertaking for some counties due to staff shortages and difficulty in retrieving necessary information.
- VI. Mr. Wolin noted that, in the past, the budget was submitted by AOC to the DOF November. Most other state agencies had submitted their budgets before the Courts, which meant that their programs may have received more attention. Next year's submittal will be made in September, with the trial courts required to submit their budget proposals to the Judicial Council in May.
- VII. Mr. Wolin remarked that the legislature wants to better understand the Judicial Council's direction, therefore it will be changing to a multi-year budget approach for the 2000-2001 fiscal year.
- VIII. It was agreed that the intent of state trial court funding is to keep the courts financially sound by providing a reliable and predictable cash flow and to assist those with historically inadequate funding. An important consideration is the viewpoint of the governor relative to how much support the state should lend to the court system.
- IX. Mr. Eaves asked if funding typically comes up short for operations how can funding for facilities be achieved. Mr. Abel asked where the committee could find information on the current status of court facilities funds.
 - 1) Mr. Gardner explained that for local court capital outlay, the funding sources are from fines and fees.
 - 2) Mr. Janssen proposed that at the next meeting, in Fresno, the local county accounting representatives give their perspective on this topic.
 - 3) It was noted that increases in filing fees would generate more revenue but that there would likely be an increase in the number of fee waivers. Therefore, the fee waiver requirements would need to be tightened to achieve a net revenue increase. Mr. Abel added that county auditors would have specific accounting information in this area. The intent of a survey would be to see to what is generating the revenue, where it is being distributed to and where it is required to go.
- X. It was noted the normal sequence of budgeting for court expansion was that, upon appointment of new judgeships, the next step was to queue up in line for extra funds, but with the revised budgetary process, the budget ideally would build up funding for future judgeships.
- XI. It was proposed and agreed that at the next committee meeting existing state models (i.e. state university system, BOC) would be presented. A presentation on the Court Construction Fund, and other local facilities revenue sources, was also requested. The funding source presentation should address the type of fund or revenue stream, the

distribution of fees and how additional funds might be acquired from these resources. Mr. Eaves added that CSAC may be able to take a construction debt poll. There was concern that the Employees and Facilities Task Forces may be requesting too much information from the courts/counties. No action was taken on Mr. Eaves suggestion.

XII. The committee meeting adjourned at 4:50 PM.